

In The United States District Court  
Western District of Oklahoma

Keith Sumpler

Victim 74250)

Petitioner

-vs-

No:

**22 CV - 343 JFH - JFJ**

**FILED**

AUG 01 2022

Mark C. McCart, Clerk  
U.S. DISTRICT COURT

Okla. County Dist. Court/Prosecutor  
Respondents.

Petition For Habeas Corpus Challenging State Court  
Rules, Practices, Regulations, Policies et al.

The Courts have long held Habeas is proper remedy TO CHALLENGE rules, regulations,  
policies, and practices, therefore this court has jurisdiction.

See brief

Prock -v- Pittsburg, 630 P. 2d. 772  
Extrand -v- State, 791 P. 2d. 192

Verification : Under penalties of perjury, I very the Above, the Brief in Support, are true,  
respondents policies, practices, rules, practices ARE in violation of the Federal Constitution, Okla.  
Statehood Charter, TREATYS, Americans With Disabilities Act, Civil Rights and Et Al. And I am  
entitled to relief, Especially declaratory judgment.

Certification of Mailing: I certify a copy was mailed all parties, this July 23<sup>rd</sup>., 2022,  
with postage affixed.

Keith L. Sumpler  
KEITH SUMPLER, #799319  
D.C.C., G-8-213  
129 CONNER Rd.  
Honing, OK.

74035

☒ Mail ☐ No Cert Svc ☐ No Orig Sign  
☐ C/J ☒ C/MJ ☐ C/Ret'd ☐ No Env  
☐ No Cpy's ☒ No Env/Cpy's ☐ O/J ☐ O/MJ

In The United States District Court  
~~Western Dist. Of Okla., 200 NW 4<sup>th</sup> St.~~  
~~Okla. City, Okla. 73102~~

*North 053*

*Keith Sumpter*

, Victim

Petitioner

-vs-

*State*

Respondents

No: \_\_\_\_\_

Brief And Exhibits Supporting Habeas Corpus

Since 1215 A.D., Habeas Corpus MANDATES issuing an order TO bring all parties before the Court, FOR an Inquiry , which the Okla. State And Federal Courts have, for years, refused to do .

See: 28 U.S.C. )( 2243

The U.S. Supreme Court has said in Murry -v- Carrier, (106 S. Ct. 2339 at 2659 , N. 500) that;

“The Writ of Habeas Corpus IS the FUNDAMENTAL Instrument FOR  
Safeguarding INDIVIDUAL freedoms AGAINST arbitrary and  
lawless STATE action.”

Also see: Hanis -v- Nelson, 89 S. Ct. 1082  
U.S. Const. Art. 1, )( 9 , Cl. 2  
Judiciary Act. Of Feb. 5<sup>th</sup>., 1867  
Ch. 28, 14<sup>th</sup>. Stat. 81-821 AND 28 U.S.C. )( 2243

In Lonchar -v- Thomas, 116 S. Ct. 1293, 1299, and 1303, the Court said:

“ The Great Writ denies protection of constitutional RIGHTS entirely,  
IF petitioners are bared access to the Courts to seek it, thereby CAUSING  
injury to important interest in Human Liberty.”

When policy creates a barrier to FREE access to Court for Habeas, OR Self Made Court rules  
BAR access FOR Habeas to one either too poor or disabled to be able to pay, or comply with, THEY  
can be challenged through Habeas.

Also See: U.S. -v- Hayman, 342 U.S. 250  
12 O.S. )( 1331

“ EVERY person restrained of his liberty under ANY (LAW, or rule/practice) or ANY  
pretence whatever MAY prosecute a Writ of Habeas TO inquire into the cause,

OR Challenge rules, regulations & etc.”

Pursuant to 12 O.S. )( 1333, that States:( Each State has Same statutes).

“ Writs of Habeas Corpus may be granted by any Court OR by a Judge of ANY Court, AND UPON application, the Writ “Shall” be granted Without delay?.

See: Extrand -v- State, 791 P. 2d. 192  
“the proper procedure is to file a Habeas Corpus”

Courts have held access to Courts is meaningless UNLESS there is a hearing.

See: Carter -v- Carter, 783 P. 2d. 969  
Ellis -v- Mabay, 601 F. 2d. 363  
Waldon -v- Evans, 861 P. 2d. 311

In Hicks -v- Okla., 100 S. Ct. 2227 the Federal Court held:  
“Due Process is offended if an accused is arbitrarily deprived  
of ANY right guaranteed by Statute, (OR Const.)”

Refusal or failure TO WRIT petitioner before the Court, AND review the merits of his claims IS  
to “THWART” the ends of justice and work a FUNDAMENTAL miscarriage of justice.

See: Ex Parte Story, 203 P. 2d. 474  
Ashe -v- Swenson, 90 S. Ct. 1189  
U.S. -v- Ivy, 83 F. 3e. 1266, 1297 N. 47  
Awad -v- Ziriav, 670 F. 3d. 111 n(2012)

Involving rules, practices, policy's, in Prock -v- Pittsburg County, 630 P. 2d. 772, the Court  
held that:

“ ALL policy IS law, and therefore ANY practice based on it, OR  
Change IS a change in law REQUIRING Due Process  
and Equal Protection, and can NOT be  
applied ex post facto.”

Petitioner has filed many Motions, all uncontested by respondents, unaddressed by any Court  
on their merits, AND the DETENTION issue, IS a Habeas Corpus matter of fundamental factual  
Constitutional law, THAT at this point, in THIS Court, warrants a hearing WITH all parties present in  
open Court TO litigate facts, and claims, OR this matter should be certified to the .U.S. S. Ct..

See: Swathout -v- Cooke, 131 S. Ct. 1845 (2011)  
Collins -v- State, Civ. 93, 2273, W.D. Ok.  
Lance -vs- Mathis, 117 S. Ct. 891

Art. (6), clause (2) of the U.S.. Const. Limits State powers and Art. (10) MANDATES that ALL laws must be made “ In pursuance of the U.S. Const. AND under the authority of the United States” .

Also see: Reid -v- Convert, 354 U.S. 1  
Titsworth -v- State, 10 Pac. 288  
In re Petition 363, 927 P. 2ed. 588

Treaties over rule all else:

Under Missouri -v- Holland, 252 U.S. 41, the Court held EVEN agreements by the president stands equal to treaties, and are superior TO STATES, .

Also See: U.S. -v- Pink, 315 U.S. 203  
Cloffoletti -v- Fed., No. 03, Civ 3220 (E.D.N.Y.)  
Greenfield -v- Manifee, No. 03, Civ-8205 (S.D.N.Y.)

The Doctrines of Res Judicata/ Collateral/ Estoppel warrants granting Habeas relief here, now.

See: Daney -v- Owns, 258 P. 879  
Carder -v- Court, 595 P. 2d. 416  
Lonchar -v- Thomas, 16 U.S. 1293  
U.S. -v- Hayman, 342 U.S. 2  
Lynce -v- Mathis, 117 \_\_\_\_ 891 AND Above authorities

This Court has a non- discretionary duty to conduct a hearing.

See: Ellis -v- Mabry, 601 F. 2d. 363  
Carter -v- Carter, 783 P. 2d. 969

Petitioner IS in custody , and DETAINED by respondents, IN violation of the U.S. Constitution, Bill of Rights, AND TREATIES of the U.S. With Sovereign Nations, as set out in 28 U.S.C. )( 2241-2245, requiring Habeas relief at this time.

See: Awad -v- Zirav, 670 3d. 111 (2012)  
James v- Kentucky, 104 S. Ct. 1820  
Cabberize -v- Moore, 217 F. 3d. 1329  
Benny -v- U.S., 295 F. Ed. 977

In U.S. -v- Willberger, 18 U.S. (5 Wheat) 76, 93 (1820), the Court said:

“The power to punish is vested in the legislature, NOT  
the judicial dept.”

Also See: Yates -v- Aiken, 108 S. Ct. 534

Wick Wo -v- Hopkins, 6 S. Ct. 64  
Ross -v- Ward, 165 F. 3d. 793  
Dry -v- CRF, 168 F. 3d. 1207  
Mickens -v- Tylor, 227 F. 3d. 203  
Skaggs -v- Parken, 235 F. 3d. 261

Agency rules, practices and politics ARE reviewable through habeas corpus.

See: U.S. -v- Fed., 69 F. 3d. 600  
Asbestos -v- Reich, 117 F. 3d. 891  
U.S. -v- Morole, 173 F. 3d. 213  
Gonzalez -v- Reno, 212 F. 3d. 1338  
Barden -v- Keohane, 921 F. 3d. 476  
Blakely -v- Washington, 542 U.S. \_\_\_\_ (2004)  
Arnold -v- Cody, 951 F. 2d. 280  
Scott -v- Smith, 223 F. 3d. 1191 (2002)

This Court SHOULD issue an order granting Habeas and bringing ALL parties before the Court for a hearing on the merits, WITHOUT delay, OR issue an order that petitioner be immediately released from detention by respondents, OR in the alternative, certify this matter to the United States Supreme Court for declaratory judgment.

Certification/Verification> This 23<sup>rd</sup> day of July, 20 22, I certify under penalties of perjury the above IS true, I am entitled to Habeas release from detention, and a copy was mailed to all parties.

Keith L Sampter  
Keith Sampter # 799319  
D.C. C.C., G-8-213  
129 CONNOR RD.  
HOMINY, OK 74035



Keith Sumpter # 299319  
Dick Conner  
Correctional  
129 Conner RD  
Harrison OK 74035

RECEIVED

AUG 01 2022

Mark C. Hittner, Clerk  
U.S. DISTRICT COURT

OKLAHOMA CITY OK 730  
25 JUL 2022 PM 7 L  
Postmark 7/25/22



CLARK  
US Dist Court  
4th + DEVER, OK  
300 S. PER  
for SA, OK

7/25/22